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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,969	08/01/2001	Chantal Cayuela	33339/234602	5142

826 7590 08/26/2003

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EXAMINER

HINES, JANA A

ART UNIT	PAPER NUMBER
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1645

DATE MAILED: 08/26/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

***NON-RESPONSIVE AMENDMENT***

1. The communication filed on May 23, 2003 is not fully responsive to the communication mailed previously.

This action is non-responsive. Amended claims 1-6, and 10-12 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The previous claims were drawn to Group I, claim(s) 1-6 and 10-20 were drawn to a composition which regulates the inflammatory response of enterocytes and a method for producing a composition which regulates the inflammatory response of enterocytes.

Now the invention is drawn to a method for regulating the inflammatory response of enterocytes, thus it appears to be drawn to a newly claimed invention.

The inventions listed as Groups I, II and now III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Invention I was a composition can be used with different types of method steps such as a method for preparing anti-diarrhea products or a method for treating infant diarrhea. The composition and method of regulation have a different special technical feature when compared to each other. Accordingly, the groups lack the same technical feature. Thus, the examiner cannot appreciate that the new claims would read on the previously claimed invention.


2. The amendment filed on May 23, 2003 amending the previous claims and adding new claims is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention for the reasons stated above.

3. Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ja-Na Hines whose telephone number is 703-305-0487. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynette Smith can be reached on 703-308-3909. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Ja-Na Hines   
August 21, 2003

  
LYNETTE R. F. SMITH  
SUPERVISORY PATENT EXAMINER  
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